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Attorneys for Plaintiff
ALIGN TECHNOLOGY, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALIGN TECHNOLOGY, INC.,

Plaintiff,

v.

STRAUSS DIAMOND INSTRUMENTS, INC.,

Defendant.

CASE NO. 3:18-CV-06663-TSH

**STIPULATION OF DISMISSAL AND
PROPOSED ORDER**

Pursuant to Federal Rule of Civil Procedure 41(a)(2) and the parties' confidential settlement agreement entered into on October 28, 2019 ("Settlement Agreement"), Plaintiff Align Technology, Inc. and Defendant Strauss Diamond Instruments, Inc., by and through their undersigned counsel, stipulate to dismissal of this action and all claims asserted herein with prejudice, conditioned on this Court expressly retaining jurisdiction for purposes of enforcing and interpreting the Settlement Agreement. The parties hereby waive all right to appeal from this stipulation and dismissal. Each party shall bear its own costs and attorneys' fees in this action.

SO STIPULATED:

Dated: October 28, 2019, 2019

/s/ Mark E. Ungerman

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IT IS HEREBY ORDERED THAT:

Pursuant to the parties' stipulation, this action and all claims asserted herein are dismissed with prejudice, with each party bearing its own costs and attorneys' fees. This Court shall retain exclusive jurisdiction to enforce and/or interpret the terms of the Settlement Agreement between the parties. The Clerk is hereby directed to close the file.

Dated: October 29, 2019


HON. THOMAS S. HIXSON

UNITED STATES MAGISTRATE JUDGE

ATTESTATION REGARDING SIGNATURES

Pursuant to Civil Local Rule 5-1(i)(3), the undersigned filer of this document certifies that concurrence in the filing of this document has been obtained from each of the other signatories.

/s/ Jennifer Seraphine

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